IN RE: PETITIONS FOR VARIANCE

N/S Stillwater Road, 950'&1,000' E

of the c/l of Riverside Road

(330 & 332 Stillwater Road)
15th Election District

5th Councilmanic District

Thomas C. Gable, Jr., et ux

Petitioners

\* BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case Nos. 97-112-A & 97-113-A

\* \* \* \* \* \* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as companion Petitions for Variance for adjoining properties known as 330 and 332 Stillwater Road, located in the vicinity of Mace Avenue in Essex. The Petitions were filed by the owners of the property, Thomas C. Gable, Jr., and his wife, Roberta E. Gable. In Case No. 97-112-A, the Petitioners seek relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, and a side yard setback of 6.5 feet in lieu of the required 10 feet for a proposed dwelling. In Case No. 97-113-A, the Petitioners seek similar relief for an existing dwelling. The subject properties and relief sought are more particularly described on the site plan submitted in each case, and identified as Petitioner's Exhibits 1.

Appearing at the public hearing on behalf of the Petitions were Mrs. Roberta Gable, property owner, and Mr. Robert Hager. There were no Protestants present.

Testimony and evidence offered revealed that the Petitioners own the subject adjoining properties, also known as Lots 68 and 69 of Back River Highlands, which was established many years ago with 50-foot wide lots. The property at 330 Stillwater Road consists of 0.52 acres, more or less, zoned D.R. 5.5 and is unimproved, but for an existing 9.9' x 12.2'

ORDER RECEIVED FOR FILING
Date

MICROFILMED

The property at 332 Stillwater Road also consists of 0.52 acres, shed. zoned D.R. 5.5, and is improved with a two-story dwelling which has been the Petitioners' residence for the past 11 years. Mrs. Gable testified that her mother recently passed away and the Petitioners are desirous of developing the unimproved lot at 330 Stillwater Road with a single family dwelling for Mrs. Gable's father. Testimony indicated that the proposed dwelling will enable Mrs. Gable's father to continue to live independently, while living close by to his daughter and son-in-law. Due to the location of the existing dwelling on Lot 69, a lot line adjustment is necessary in order to proceed with the proposed improvements. The site plan shows that the existing dwelling actually encroaches over the common property line shared between the two lots. As required, the Petitioners submitted drawingsof the proposed dwelling to the Office of Planning who approved same as being in character and keeping with other homes in the surrounding community. However, approval of these house plans was contingent upon the the entrance of the proposed dwelling being oriented to front Stillwater Mrs. Gable stated that they have every intention of orienting the front entrance of the proposed dwelling to Stillwater Road. It should also be noted that all other area setback requirements will be met by the proposed improvements.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;



- whether a grant of the variance would do a sub-2) stantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structure which are the subject of these requests and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to these particular parcels. addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2/54 day of October, 1996 that the Petition for Variances filed in Case Nos. 97-112-A and 97-113-A seeking relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.)

SHOPE ARCHARD FOR FLAR

to permit a lot width of 50 feet in lieu of the minimum required 55 feet, and a side yard setback of 6.5 feet in lieu of the required 10 feet for a proposed dwelling at 330 Stillwater Road and an existing dwelling at 332 Stillwater Road, in accordance with Petitioner's Exhibits 1, be and are hereby GRANTED, subject to the following restriction:

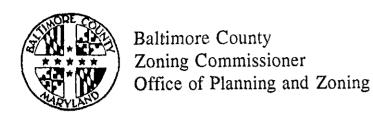
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The front entrance to the proposed dwelling at 330 Stillwater Road shall be oriented to face Stillwater Road.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

October 22, 1996

Mr. & Mrs. Thomas C. Gable, Jr. 332 Stillwater Road Baltimore, Maryland 21221

RE: PETITIONS FOR VARIANCE
N/S Stillwater Road, 950' and 1,000' E of the c/l of Riverside Road
(330 & 332 Stillwater Road)
15th Election District - 5th Councilmanic District
Thomas C. Gable, Jr., et ux - Petitioners

Case Nos. 97-112-A & 97-113-A

Dear Mr. & Mrs. Gable:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

File

**MICROFILMED** 

Printed with Soybean Ink

### tion for Variance

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

for the property located at

This Petition shall be filed with the Office of Zoning Administration & Development Management.

339 STillwater Road Lot 68

hereto and made a part hereof, hereby petition for a Variance of Semit a LUT WINTH OF 50° Aug	Itimore County and which is described in the description and plat attached from Section(s)   BOZ. 3. C.   BCZP TO A SIDE YAPED SIETBACK OF 6.5. IN
LIBY OF THE REGULARD SS' AN	D 10%
of the Zoning Regulations of Baltimore County, to the Zoning L practical difficulty)	aw of Baltimore County, for the following reasons: (indicate hardship or
WE NEBD TO CONSTRUCT	A HOUSE FOR MRS. GABLA'S FATUER
on vot 68. In order to Do	TUIS, A LOT VINE ADJUSTMENT WILL
BE NECESSARY WHICH WILL CA	BATE A NEED FOR 5106 YARD
VARIANCES FOR THE PROPOSED	house and existing youse
Property is to be posted and advertised as presci I, or we, agree to pay expenses of above Variance advertising be bound by the zoning regulations and restrictions of Baltimor	ribed by Zoning Regulations. , posting, etc., upon filing of this petition, and further agree to and are to re County adopted pursuant to the Zoning Law for Baltimore County.
Contract Purchaser/Lessee:	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition  Legal Owner(s):
	and the second s
(Type or Print Name)	MR Thomas C. Gable Jr.
Signature	Signature Montas Chable of
Address	Mes Roberta E. SAble
City State	Mes Kobusto E. Shale
Attorney for Petitioner:	Signature
(Type or Print Name)	332 Still water Rd. 687-345
1	Dalty Marshared 2/221
Bignature	City State Zipcode Name, Address and phone number of representative to be contacted.
ddress Phone No.	Name T- GABLE
lity State Zipcode	Address Phone No.
Sur Administra	ESTIMATED LENGTH OF HEARING
√ V	unavallable for Hearing
Printed with Soybean Ink	the following dates Next Two Months
on Recycled Paper	ALLOTHER

REVIEWED BY:\_

CWINION OF THE

330 STILLWATER ROAD

Beginning at a point on the North side of Stillwater Road

20,000 square feet. Also known as 330 stillwater Road and located

recorded in Baltimore County Plat Book #4, Folio #64, containing

centerline of Riverside Road which is 50 feet wide. Being Lot No.

which is 50 feet wide at the distance of 950 feet East of the

1-211-66

in the 15th Election District, 7 Councilmanic District.

e8, Block C in the subdivision of Back River Highlands as

FOR

SONING DESCRIBLION

CERTIFICATE OF POSTING

TOWING DEPARTMENT OF SALTIMORE COUNTY

TOWING TOWING TOWING

Porting 4/27/96			S C C C C C C C C C C C C C C C C C C C
2	Location of Struct July 2	1. Warrel	Posted by 17 0000 of return.  Straints  (Timber of Signs:

## NOTICE OF HEARING

The Zoving Commissioner of Baltinoire County, by authoring of the Zoning Act and Regulations of Baltinoire County will hold a public hearing on the property identified herein in Room 106 of the County of fice Beliding, 111 W. Chesspeake Avenue in Towson, Maryland 21204 or Room 18. Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

item (10) Case: #97-112-A

330 Stillwater Road, Lot 66
NS Stillwater Road, 950" #E of of Riverside Road.
15th Bection District
5th Councidmanic
Legal Owner(s).
Thomas C, Gable, Jr.
and Roberta E Gable

variance: to permit a lot with, of 50 feet and a sight yard settack of 65 feet and 10 of the required 55 feet and 10 feet.

Hearing: Tuesday, October 15, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County MOTES: (1) Hearings are Handicapped Accessible; for special accommodations (2) For information concerning the File and/or Hearing Please Call 887-3391. Special accommodations Please Call 887-3353.

9/315 Sept 26

C86547

# CERTIFICATE OF PUBLICATION

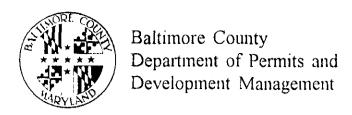
TOWSON, MD.,\_

weeks, the first publication appearing on \_ published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_ THIS IS TO CERTIFY, that the annexed advertisement was \_successive

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  OFFICE OF FIN : REVENUE DIVISION  MISCELLANEOUS CASH RECEIPT  DATE 9-4-12-A  AMOUNT \$ PF PEPER PROPERTY  AMOUNT \$ PF PEPER PROPERTY  TOW GABLE AMOUNT \$ STELLE  FROM:  TOW GABLE AMOUNT \$ STELLE  STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE  SALEN STELLE  SALEN STELLE  AMOUNT \$ STELLE  SALEN STELLE	110
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

97-112-A

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

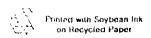
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 10 Petitioner: Thomas GABLE
Location: 330 STILLWATER RD.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: THOMAS C. GABLE
ADDRESS: 332 STILLWATER PP.
BALTIMORE, MD. 21221
PHONE NUMBER: 687-3453
MICROFILMED
Micro



## SCHEDUL DATES, CERTIFICATE OF FILING POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by
for filing by $\frac{1}{100}$ $$
A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing i \$50.00 and posting \$35.00; total \$85.00.
In the absence of a request for public hearing during the 15-day posting period a decision can be expected within approximately four weeks. However, if a validemand is received by the closing date, then the decision shall only be rendere after the required public special hearing.
*SUGGESTED POSTING DATE 9-20-96 D (15 Days Before C)
DATE POSTED
HEARING REQUESTED-YESNODATE
CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-6-96c (B-3 Work Days)
TENTATIVE DECISION DATE $16-9-968$ (A + 30 Days)
*Usually within 15 days of filing
CERTIFICATE OF POSTING
District
Location of property:
Posted by: Date of Posting:
Number of Signs:

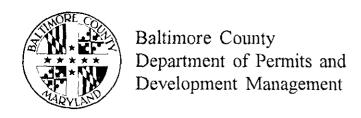
### INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

TO:	Director, Offic	ce of Pla	nning & Com	munity	Conserv	ation	,	В
	Attn: Ervin McDa	nieł	<b>G</b>			WC2011		Permit Number
	County Courts B	ldg, Rm 406						
	401 Bosley Av	NO 4						
FROM:	Towson, MD 212				0 5 1	M		
r NOM.	Amold vablon, D	nector, pepa	rtment of B	ermits	8 & Devel	lopment Ma	nagement	
RE:	Undersized Lots	3						
	Pursuant to Sect	ion 304.2(Balt	more County Zon	ing Regul	ations) effect	ive June 25, 19	92; this office	is requesting recommenda-
tions an	icomments from t ling permit.	<b>he</b> Office o	of Planning &	Communit	y Conserva	ation prior	to this off	ice's approval of
	APPLICANT SUPPLIE	D INFORMATIO	N:					
_ T		<b>.</b>		330		ATER RO		e7 3/53
Print No	ime of Applicant	-O DIYEIM	Address		3/1000	MIGC OCIA	G C	mber
⊡ Lot Ac	ldress 330	STILL	NATER PI	Elec	tion District	15 Council I	District	Square feet 22,500
Lot Lo	ation: N.P. S.W/side/	corner of _3	THUMDIFAL A	ep, g	725 feet fro	m MES W corner	OI RIVER	2510E RUAD
		(stree()					(street)	
Land O	NHET THOMA	95 & RC	BERTA GI	2516	Tax Accou	nt Homber	5-1135	51930
. Addres	332			<u> </u>		Telephone Kumbe	1 65	1-3453
	DACT	more /	4D 212	2-1	<del></del>	-		
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	2. Permit Application				/		- Andrews	Accepted by ZADM
	•	•			-/		<del></del>	- Date
,	3. Site Plaz Property (	2 000(00)						
	r roperty (	a cobies)			_/			
		(avaliable in Rm 206 I site clearly)	C.O.B.) (2 copies)	-	_/			
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ECOMME	NDATIONS/COMMENT	rs:						
App	preval Dis	approvat		onditioned recommen		modifications o	f the permit to	conform with the following
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fro	nt oriente	ed towar	d the roa	g.	II	rec rue F	, Land (O	oreace a

Signed by: Community Conservation

Revised 9/5/95

Date: 9/16/96



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

September 24, 1996

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-112-A (Item 110) 330 Stillwater Road, Lot 66

N/S Stillwater Road, 950'+/- E of c/l Riverside Road

15th Election District - 5th Councilmanic

Legal Owner(s): Thomas C. Gabler, Jr. and Roberta E. Gable

Variance to permit a lot width of 50 feet and a side yard setback of 6.5 feet in lieu of the required 55 feet and 10 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

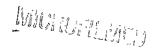
Arnold Jablon

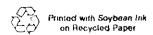
Director

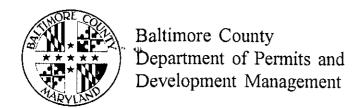
cc: Thomas and Roberta Gable

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 8, 1996

Mr. and Mrs. Thomas Gable, Jr. 332 Stillwater Road Baltimore, MD 21221

RE: Item No.: 110

Case No.: 97-112-A

Petitioner: Thomas Gable, et ux

Dear Mr. and Mrs. Gable:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely

W. Carl Richards, Jr. Zoning Supervisor

WCR/re
Attachment(s)

John alejander

### BALTIMORE COUNTY. MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: October 1, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for September 30, 1996 Item Nos (110,)111, 112, 117 & 118

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE28

MICHOFILM C.

MILLON WELL

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

DATE: September 26, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Cay L. Kerns

Item Nos. 110, 111, 112, 118, 119, 120, 122, 124, and 127

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Propaged by:

Division Chief:

PK/JL

### BALTIMORE COUNTY, MARYLAND

### DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

### INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: Sup 24.96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee
Meeting Date: 50,23,96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

RBS:sp

BRUCE2/DEPRM/TXTSBP

Margan Changey



David L. Winstead Secretary Parker F. Williams Administrator

9-24-86

Ms. Rosiyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County Item No. //O (TCA

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

BS/es

7

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

MICROFILMED

### Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

### Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114, 115, 117 AND 118.

1112

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

"MICROFILMED

Printed with Soybean Ink

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM TO: Director, Office of Planning & Community Conservation Attn: Ervin McDaniel Permit Number County Courts Bldg, Rm 406 97-112 401 Bosley Av Towson, MD 21204 Armold Jablon, Director, Department of Permits & Development Management FROM: RE: **Undersized Lots** Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit. MINIMUM APPLICANT SUPPLIED INFORMATION: RUBERTA GABLE 332 STILLWATER RI) □ Lot Address 370 STILLWATER RD. Election District 15 Council District 7 Square Feet 22,500 Lot Location: N.E.S.W/side/corner of PIVERSIDE STILLWATER PD. 925 feet from MES W corner of Land Owner Thomas & RUSECTA GABLE Tax Account Number\_ 15-11351930 332 STHWATER RD Telephone Number 687-3453 BALTIMURE, MD. CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation Residential Processing Fee Paid Codes 030 & 080 (\$85) 1. This Recommendation Form (3 copies) Accepted by ZADLI 2. Permit Application Date レンノレ 3. Sita Plas Property (3 copies) Topo Map (available in 8m 206 C.O.B.) 12 copies! (please label site clearly) 4. Building Elevation Drawings 5. Photographs (pieces label all photos clearly) Adjoining Buildings Surrounding Neighborhood

	TO DE LITTED IN	DI THE OFFICE OF N'AWKING & COMMINITY CONSERVATION ONTAIL
RECOMMENDATIONS/CO	OMMENTS:	
Apprevei	Disapprovei	Approval conditioned on required modifications of the permit to conform with the following recommendations:

516N-D. PAYWA

. WICROFILMED

for the Director, Office of Planning & Community Conservation

Date:

### DATES, CERTIFICATE OF FILING POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2 DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building 111 W. Chesapeake Avenue

Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted for filing by on on Date (A)
/ Date (A)
A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00.
In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.
*SUGGESTED POSTING DATE 9-20-96 D (15 Days Before C)
DATE POSTED
TOTAL PROVIDENCE NO DAME
HEARING REQUESTED-YESNODATE
CLOSING DAY (LAST DAY FOR HEARING DEMAND) 10-6-96 C (B-3 Work Days)
TENTATIVE DECISION DATE 10-20-96 (A + 30 Days)
*Usually within 15 days of filing
CERTIFICATE OF POSTING
District
Location of property:
Posted by: Date of Posting: 9-24-96 Signature  Date of Posting: 9-24-96
Number of Signs:

96-4998

TO GS



### County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

September 11, 1996

Peter Max Zimmerman People's Counsel for Baltimore County Room 47, Old Courthouse 400 Washington Avenue Towson, MD 21204

> RE: Civil Action No. 3-C-96-009060 NEIL S. KRAVITZ

Dear Mr. Zimmerman:

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a Petition for Judicial Review was filed on September 5, 1996, in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to Rule 7-202(d)(2)(B).

Please note that any documents filed in this matter, including, but not limited to, any other Petition for Judicial Review, must be filed under Civil Action No. 3-C-96-009060.

Enclosed is a copy of the Certificate of Notice, which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe

Legal Secretary

### Enclosure

c: Captain William Kalista
Balto. Co. Police Headwuarters
Pat Keller /Planning
Lawrence E. Schmidt /PDM

Arnold Jablon /PDM

Virginia W. Barnhart, County Attorney

MICROFILMED

4 1 2 1995

RE: PETITION FOR VARIANCE \*
330 Stillwater Road, Lot 68, N/S Stillwater
Road, 950'+/- E of c/l Riverside Road \*
15th Election District, 5th Councilmanic

Thomas C. and Roberta E. Gable, Jr. Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 97-112-A

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

le S. Demilio

Peter Max Zimme

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204 (410) 887-2188

### CERTIFICATE OF SERVICE

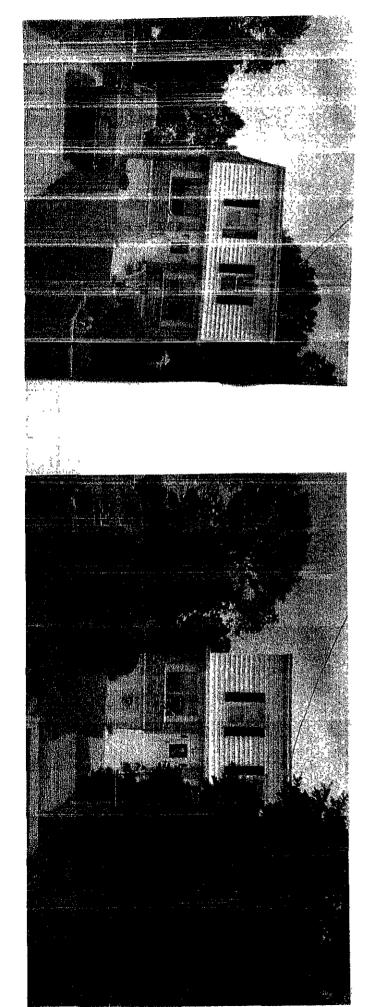
I HEREBY CERTIFY that on this <u>15</u> day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas C. and Roberta E. Gable, Jr., 332 Stillwater Road, Baltimore, MD 21221, Petitioners.

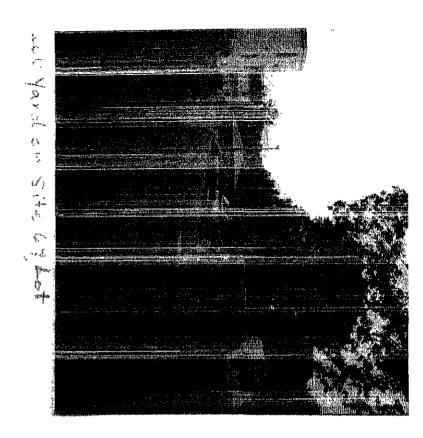
PETER MAX ZIMMERMAN

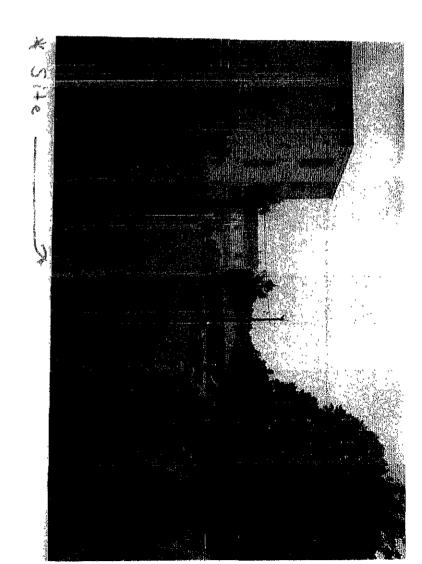


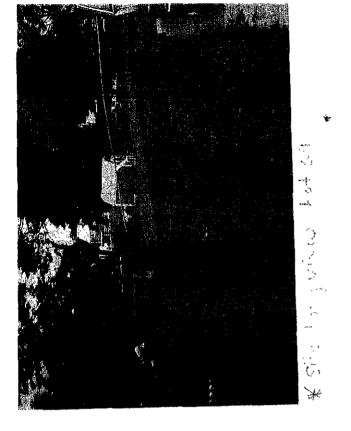
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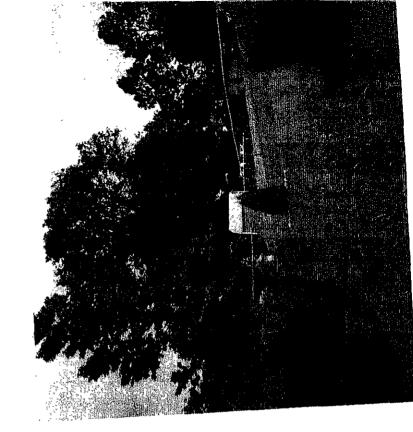
II Special Hearing see pages S & 6 of the CHECKLIST for additional required information LOCATION INFORMATION JAV Zoning Office USE ONLY! WATER: X CASE#: SEWER: square teet 22 500 Chesapeake Bay Critical Area: scale: 1"=1000" Ž, Prior Zaning Hearings: NONE Councilmanic District: 5 UFFERLANDING SITE ROAL Victority ITEM #: SAMMAH Election District: | 5 Lot size: 0.52 Zoning: DR 5.5 STILLWATER reviewed by: Plat to accompany Petition for Zoning Nariance 45, 1150' TO GOF MACE AVE ES'USTORY FR 1125Ú SF 0.26Act 471112-6 \* 3.3% EX. DWIG 87 FROM EX. 4" GAS EX. PAV .: 31.6 S KSORY BRICAN STANS AND S 0#1510450100 ,5'62 JOHNSON 11250 S.F. 0,76Act I AHID OF EDVARED (20) AMUL 2 STORY 2 STORY 2 STORY 2 C T prepared by: K.L.S.CONSULTANTS INC. Scale of Drawing: 1'= 50' ,8Z COR RIORY RETAINERS #1511351930 <del>@</del> 8 90.00 50 50 ,55 PROPERTY ADDRESS: 330 STILLWATER ROAD OWNER: THOMAS C.GABLE JR. & ROBERTA E. GABLE 10 82 S64°E T-COPY PAD (S) plat book# 4 , folio# 64 , lot # . section# C EX. 8" SEWER PROP. Subdivision name: BACK RIVER HIGHLANDS N64° W Š (8) 50, )J\xraz( ,<del>†</del>S FRAME SHFD `⊒ TO 4 RIVERSIDE NSPOE EX 6" WATER 1 \*15154.40000 11250 SF 0.76Act LAND OF 1% STORY FR. ALVIN ORTH EX DWIS. FRONT 878 0.26 AC. 11256 SF 20 ΧΞ EX DVALC. FFONT .57 950' 70 FPAME 12 STORY North W date:\_ \* 324 (3) 182

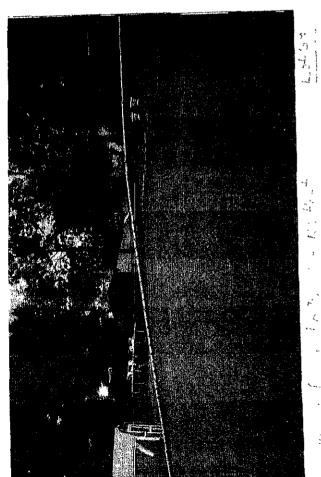




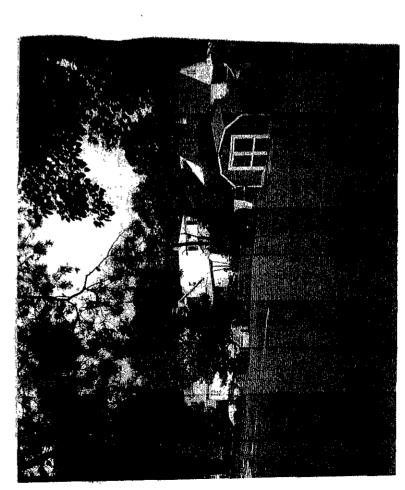


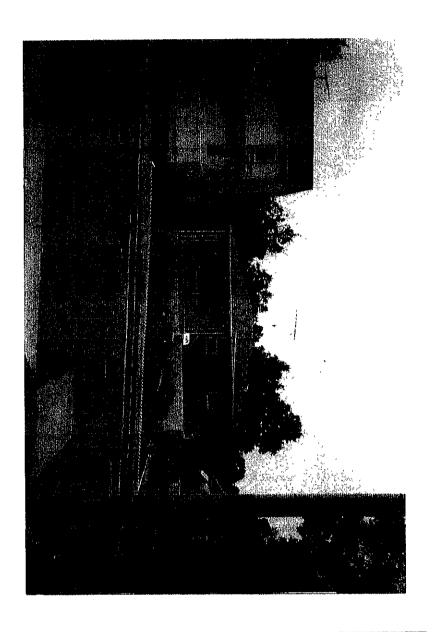


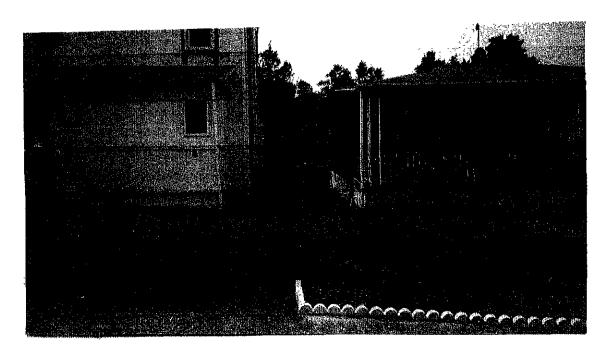




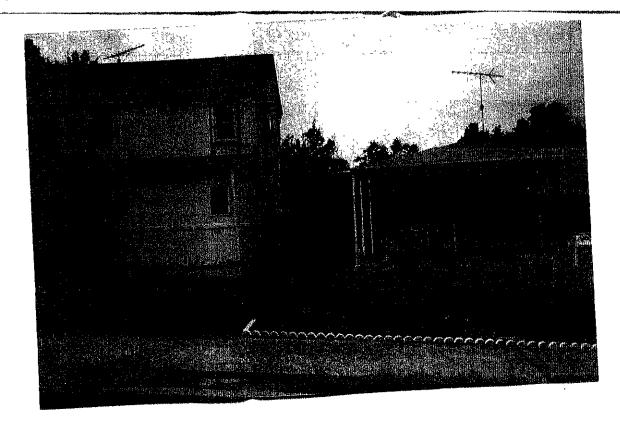








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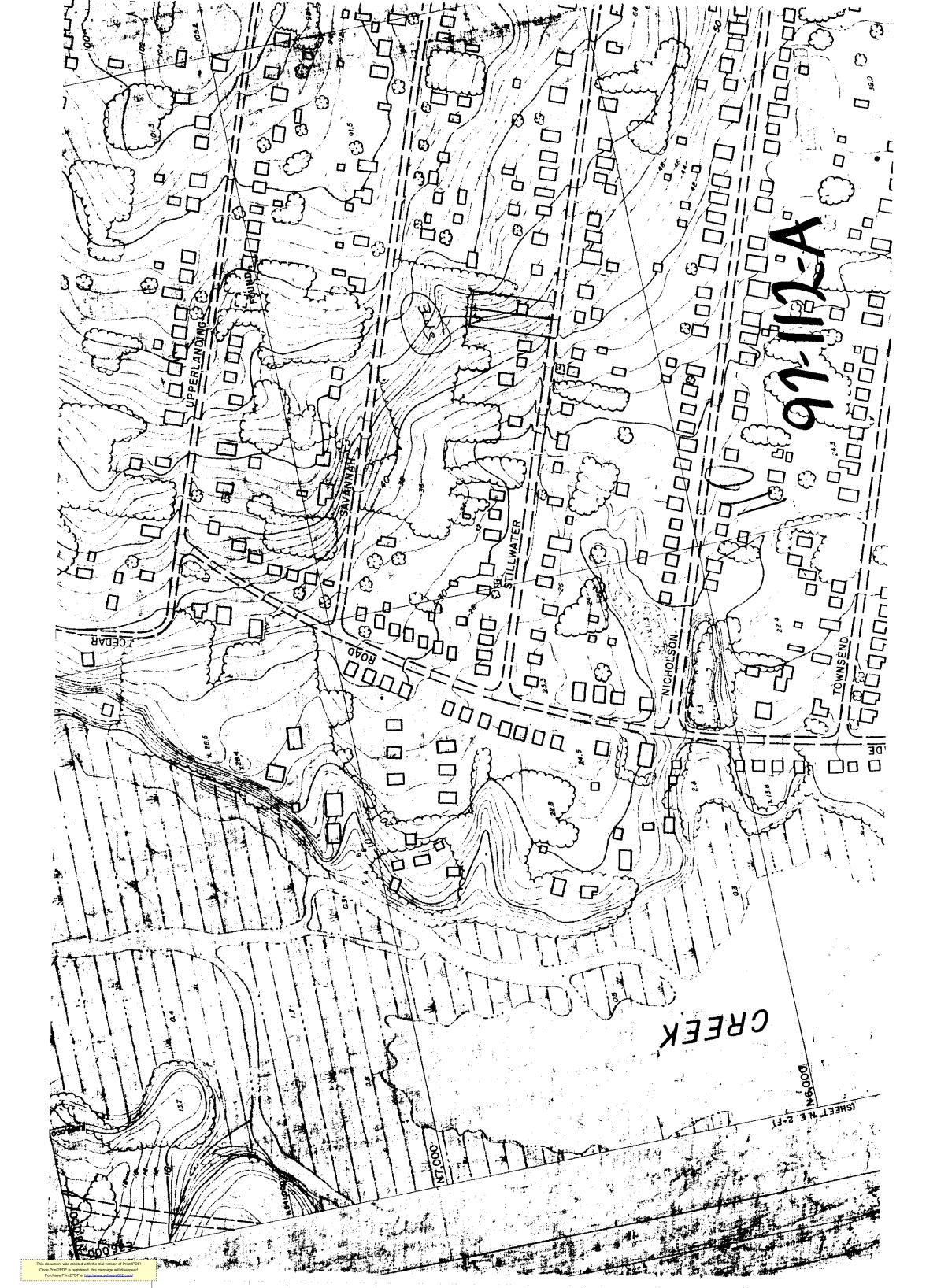


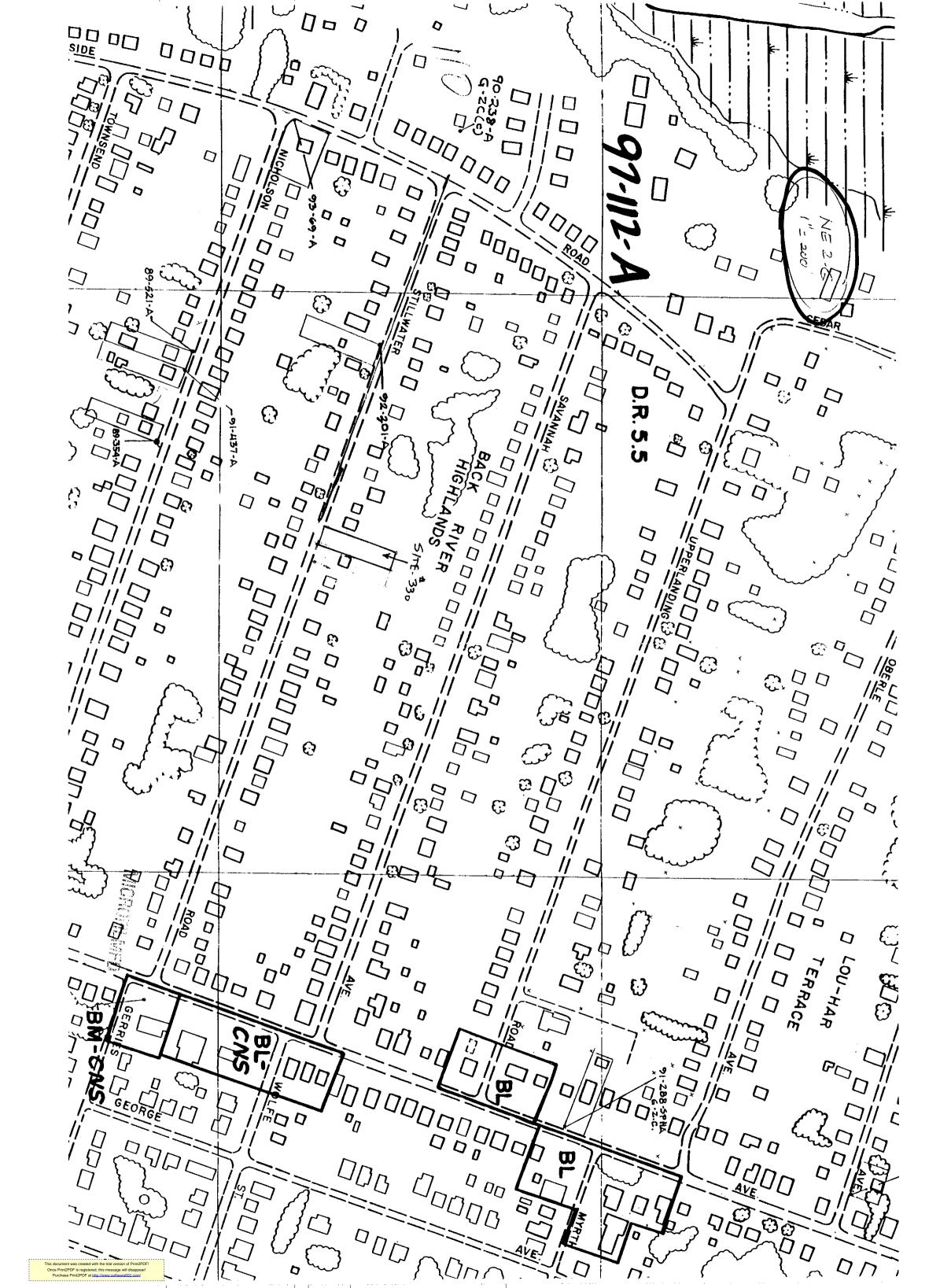


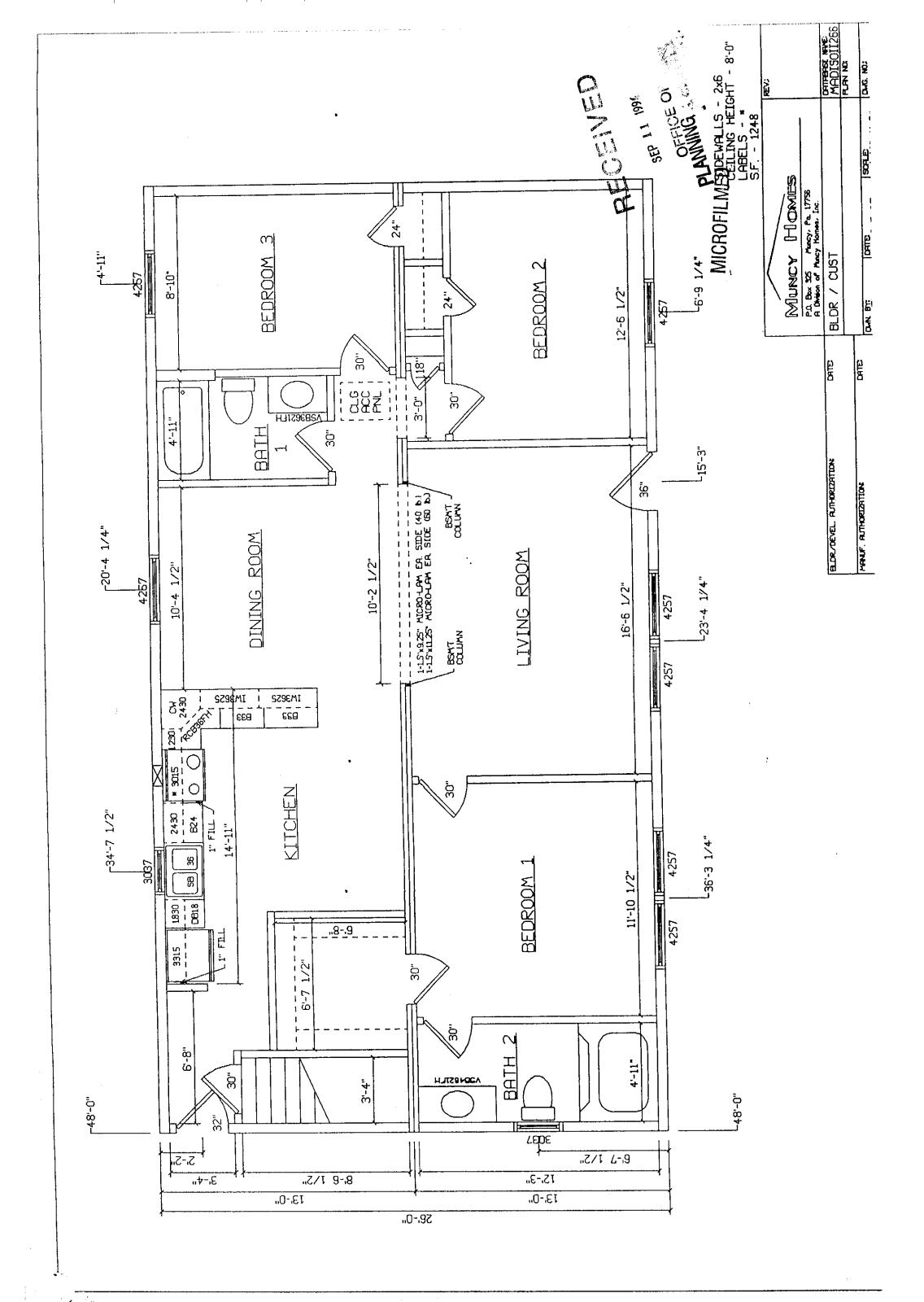




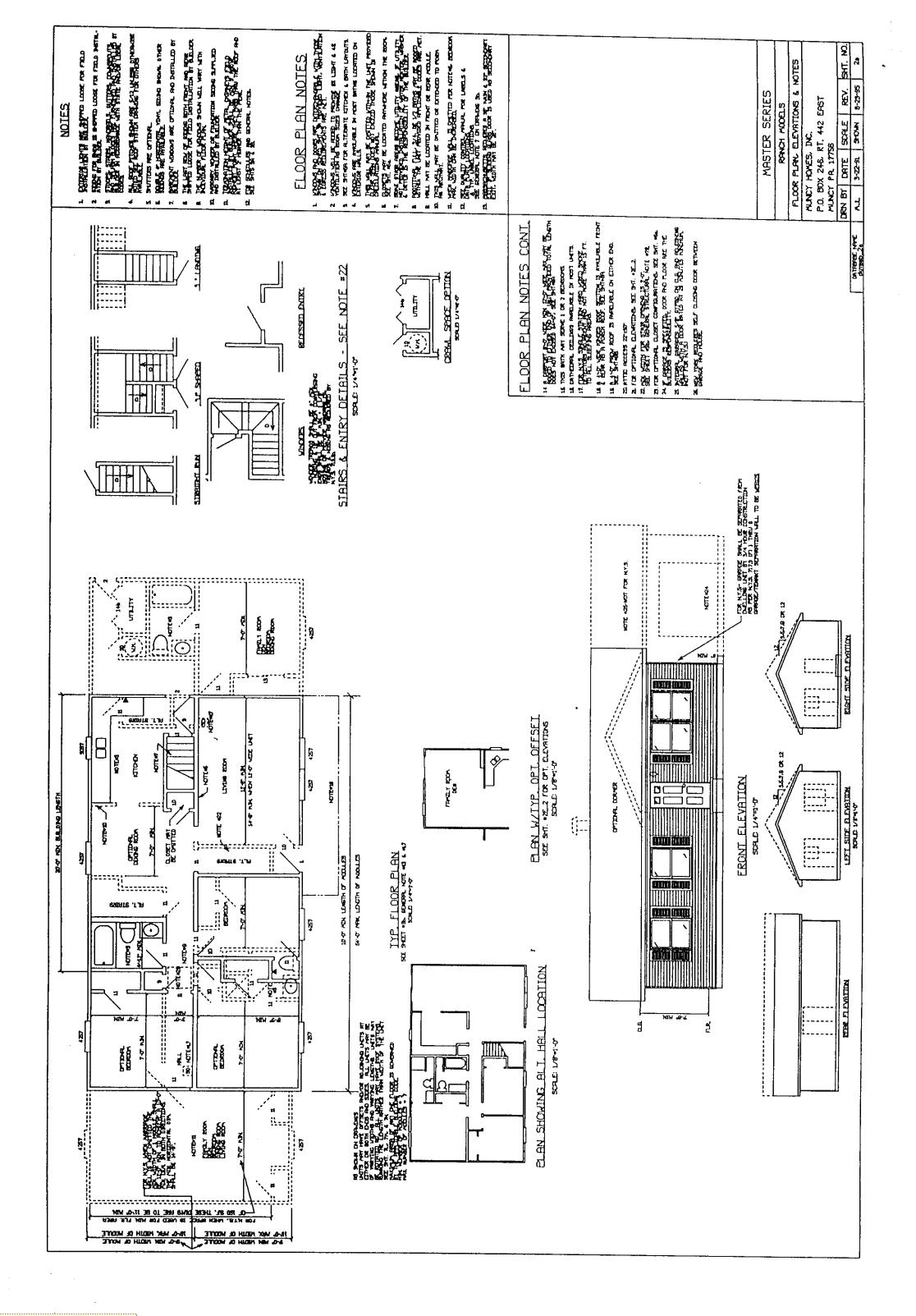
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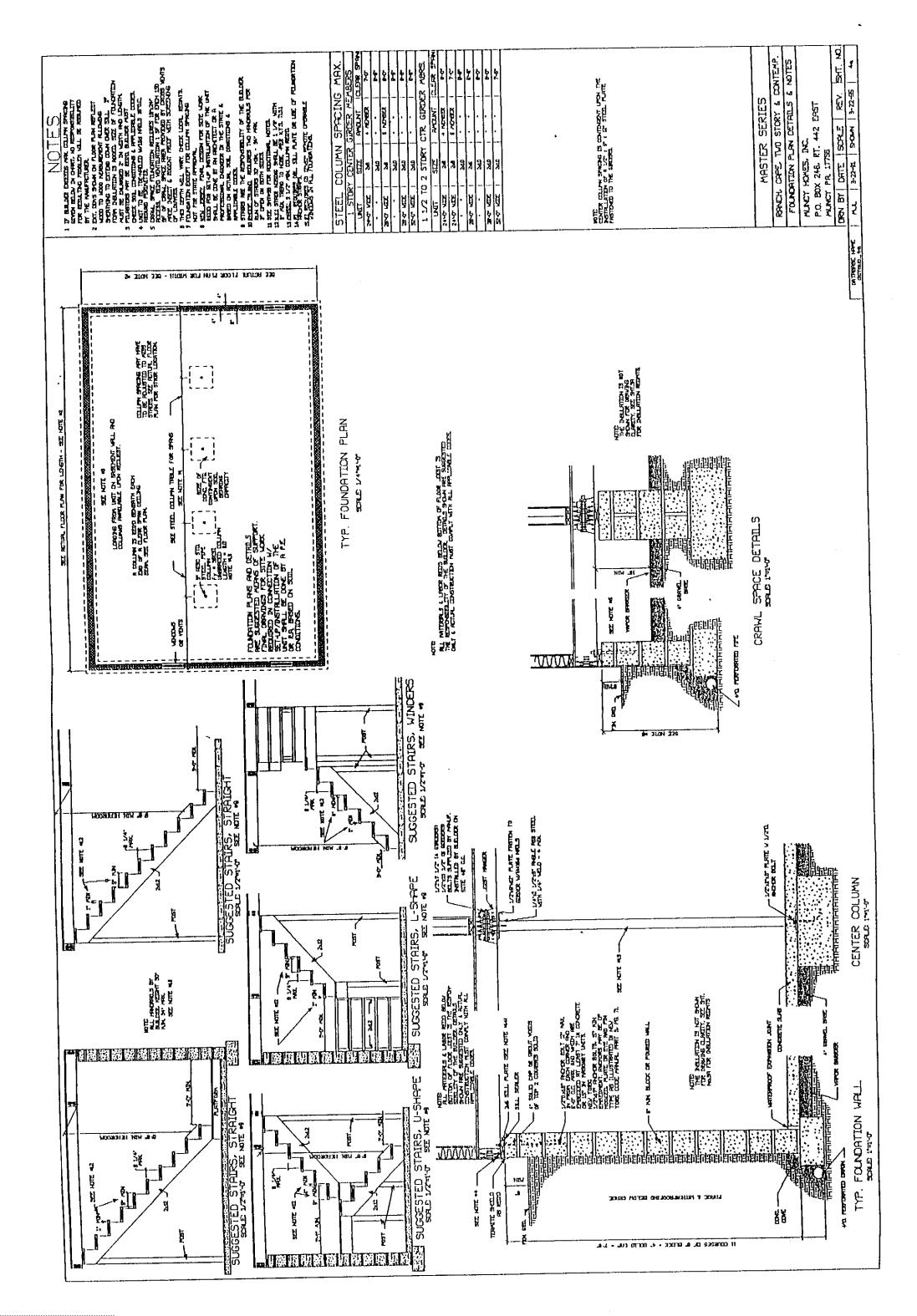
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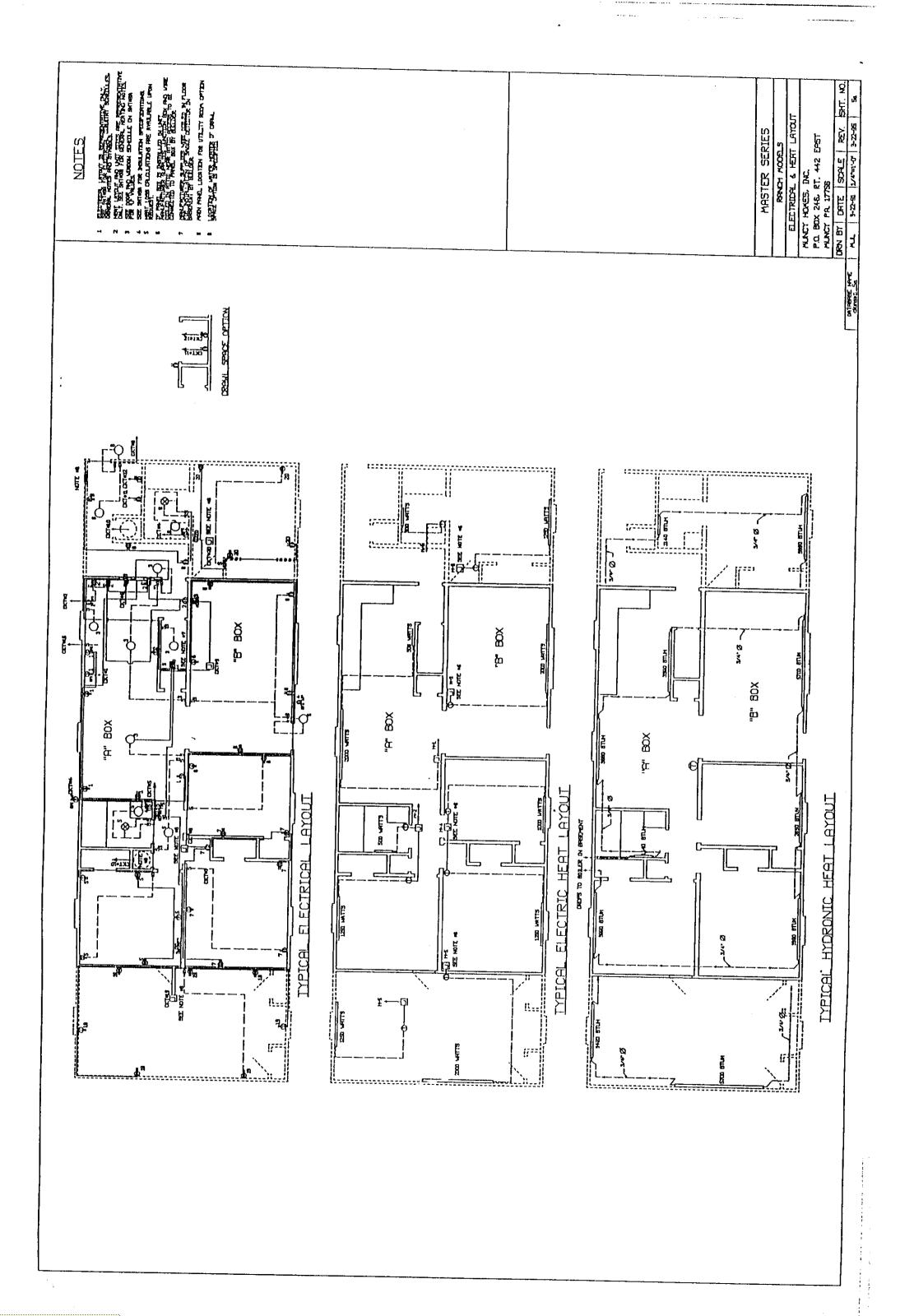


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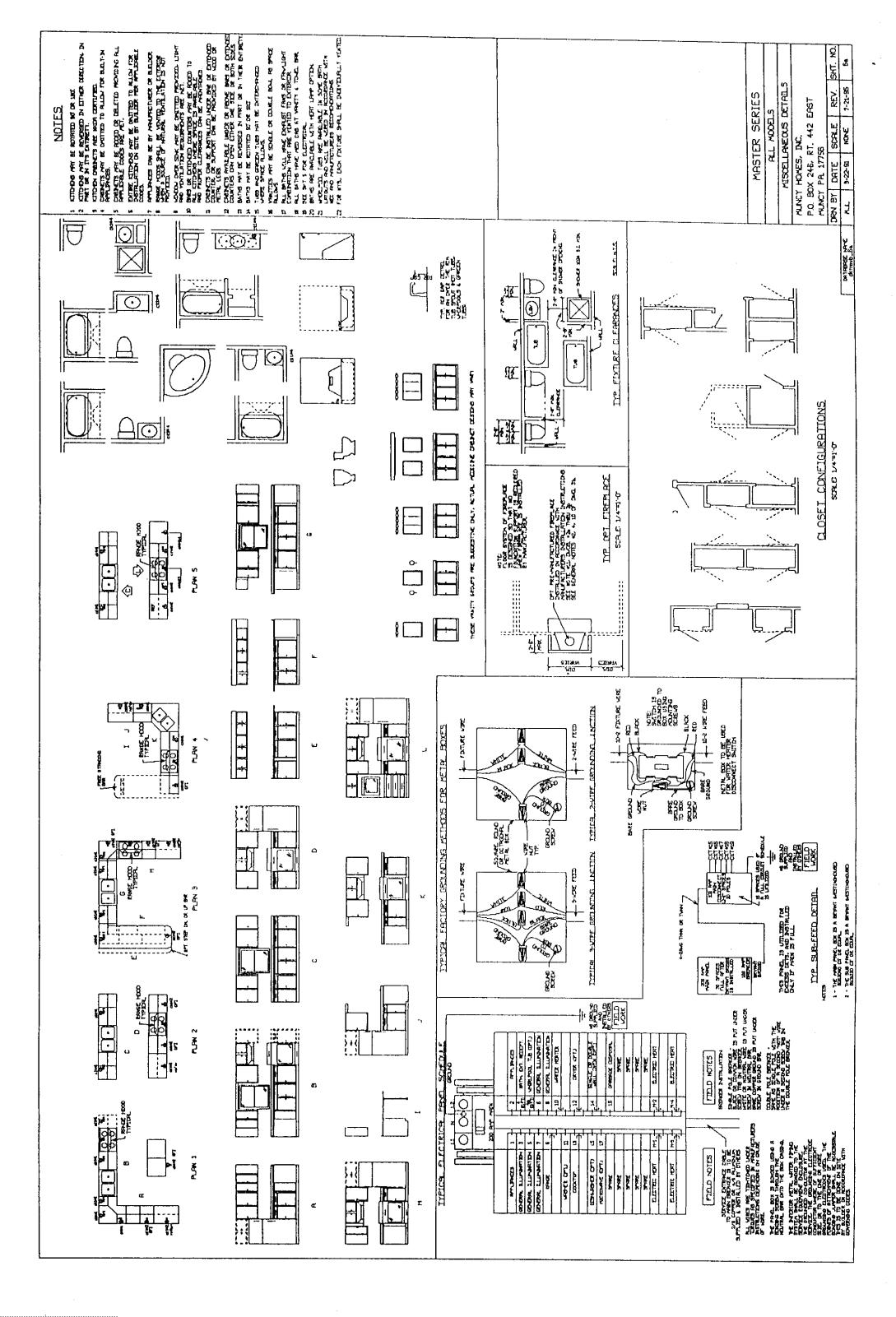
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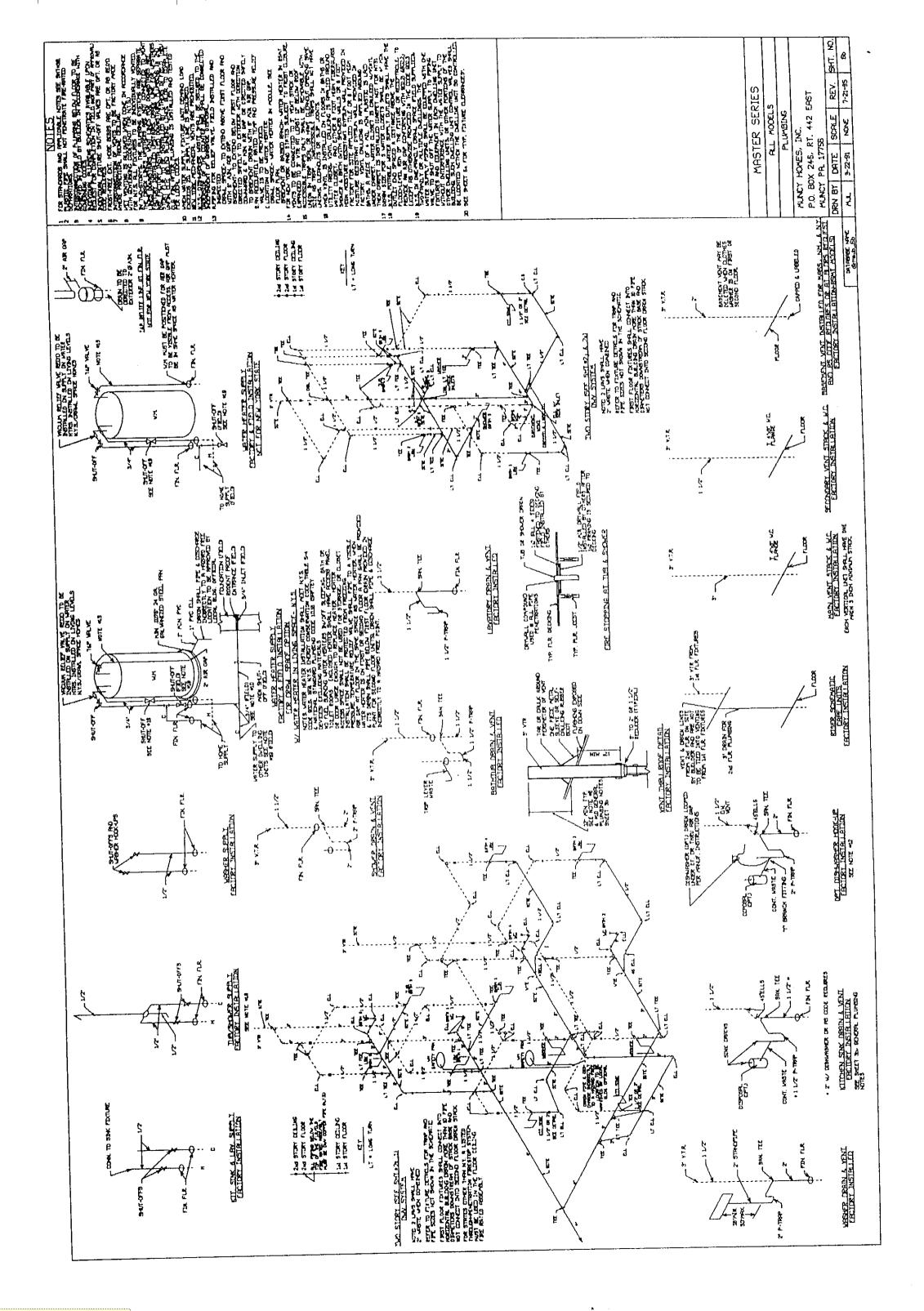
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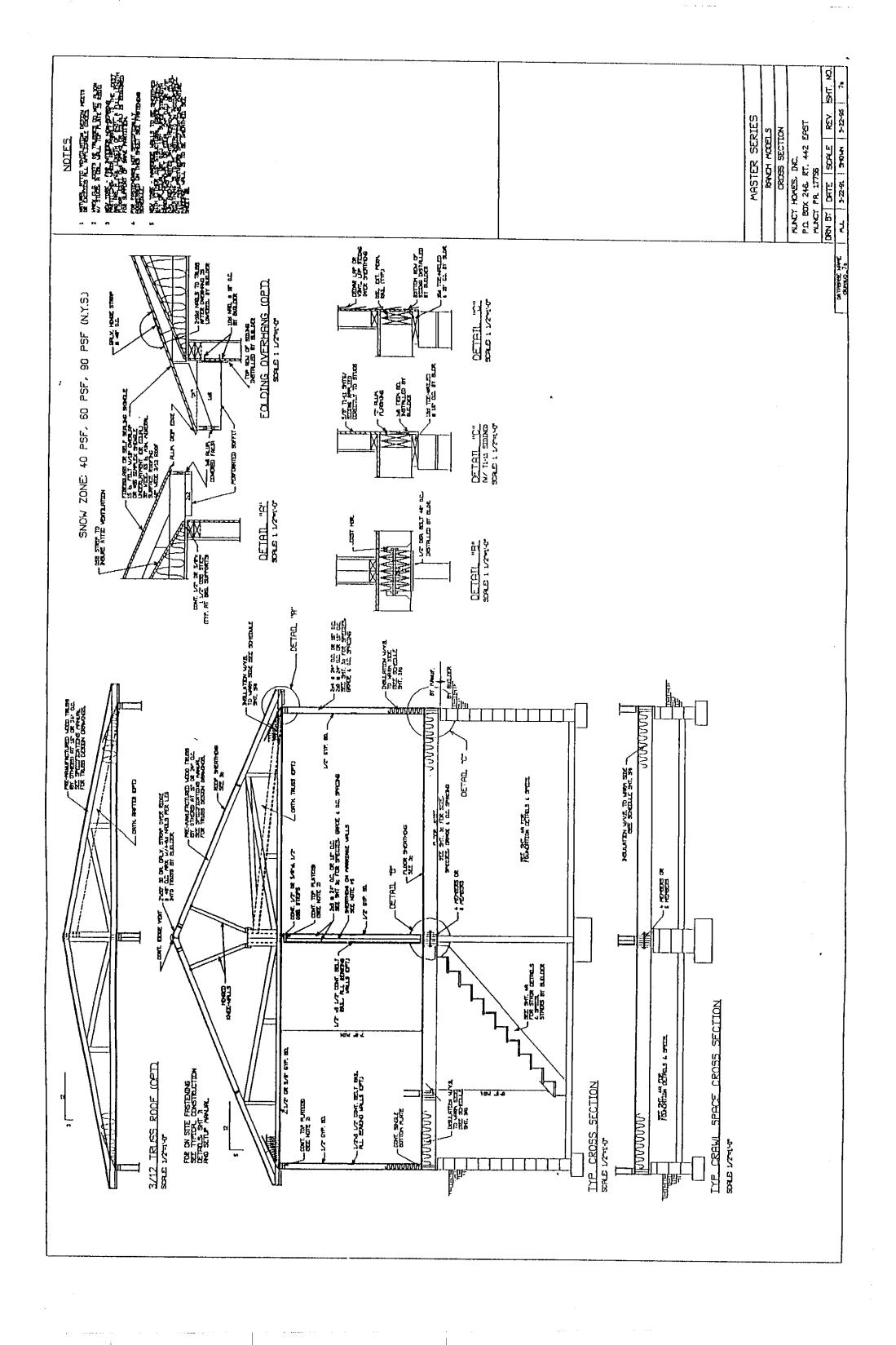




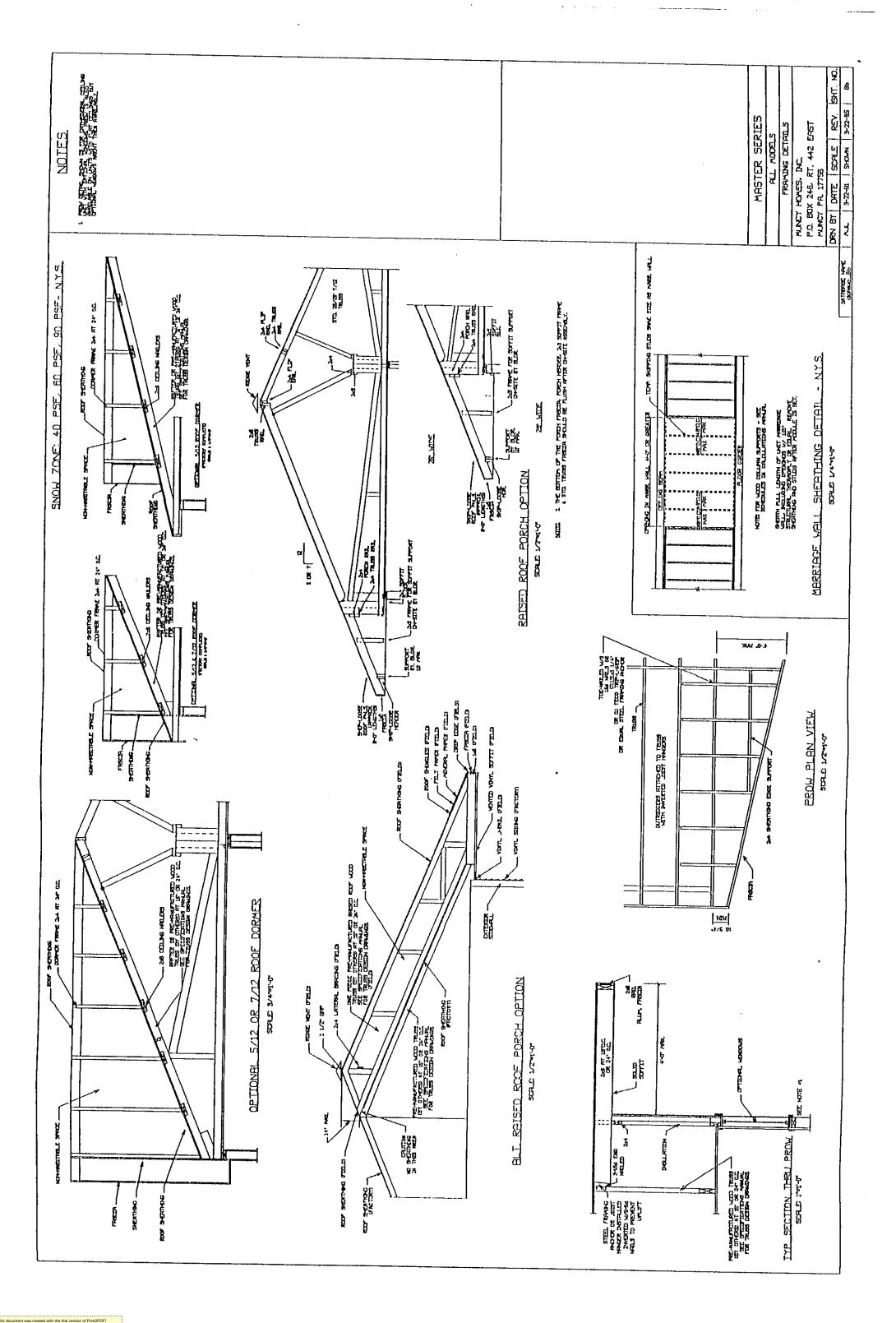
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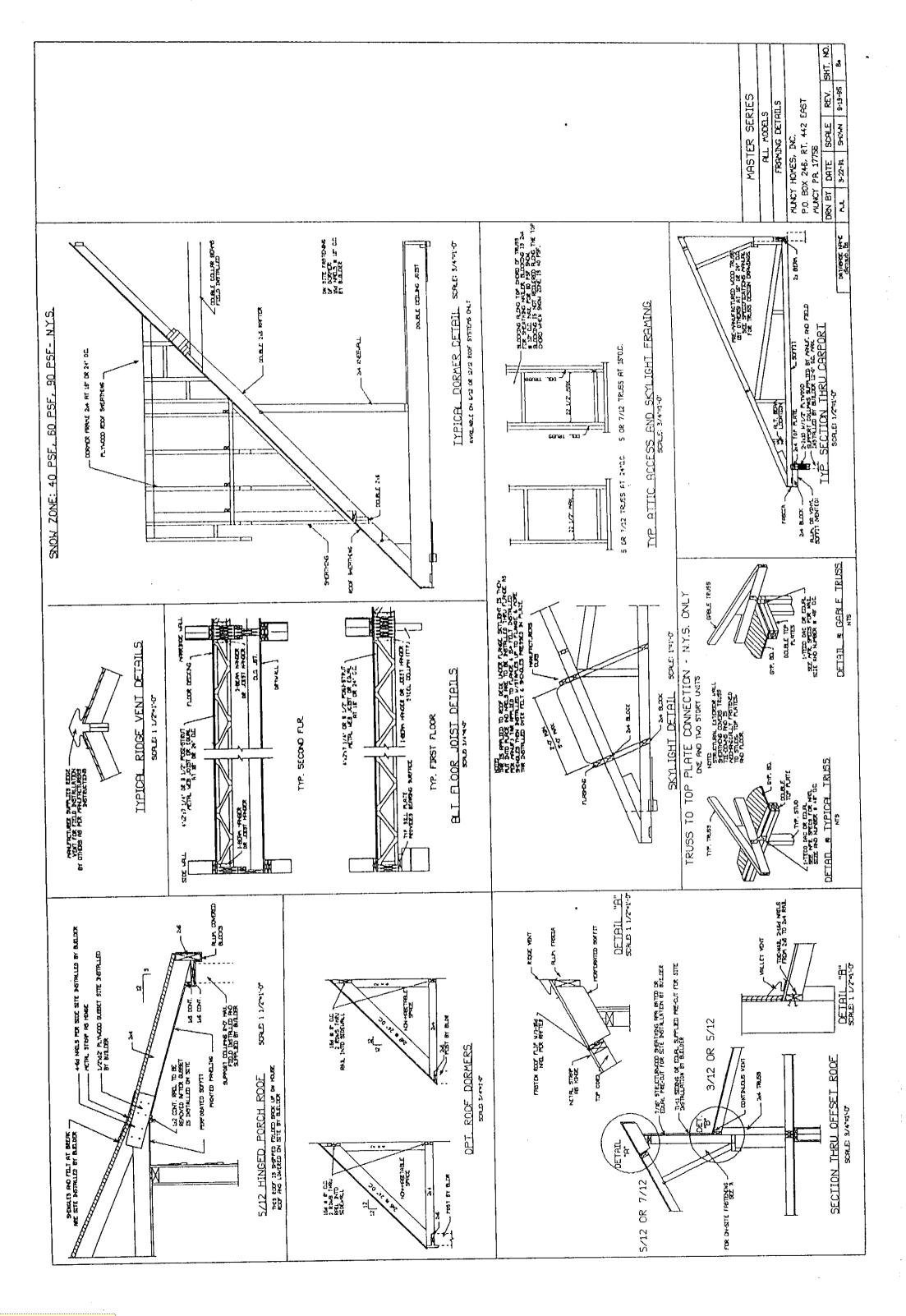


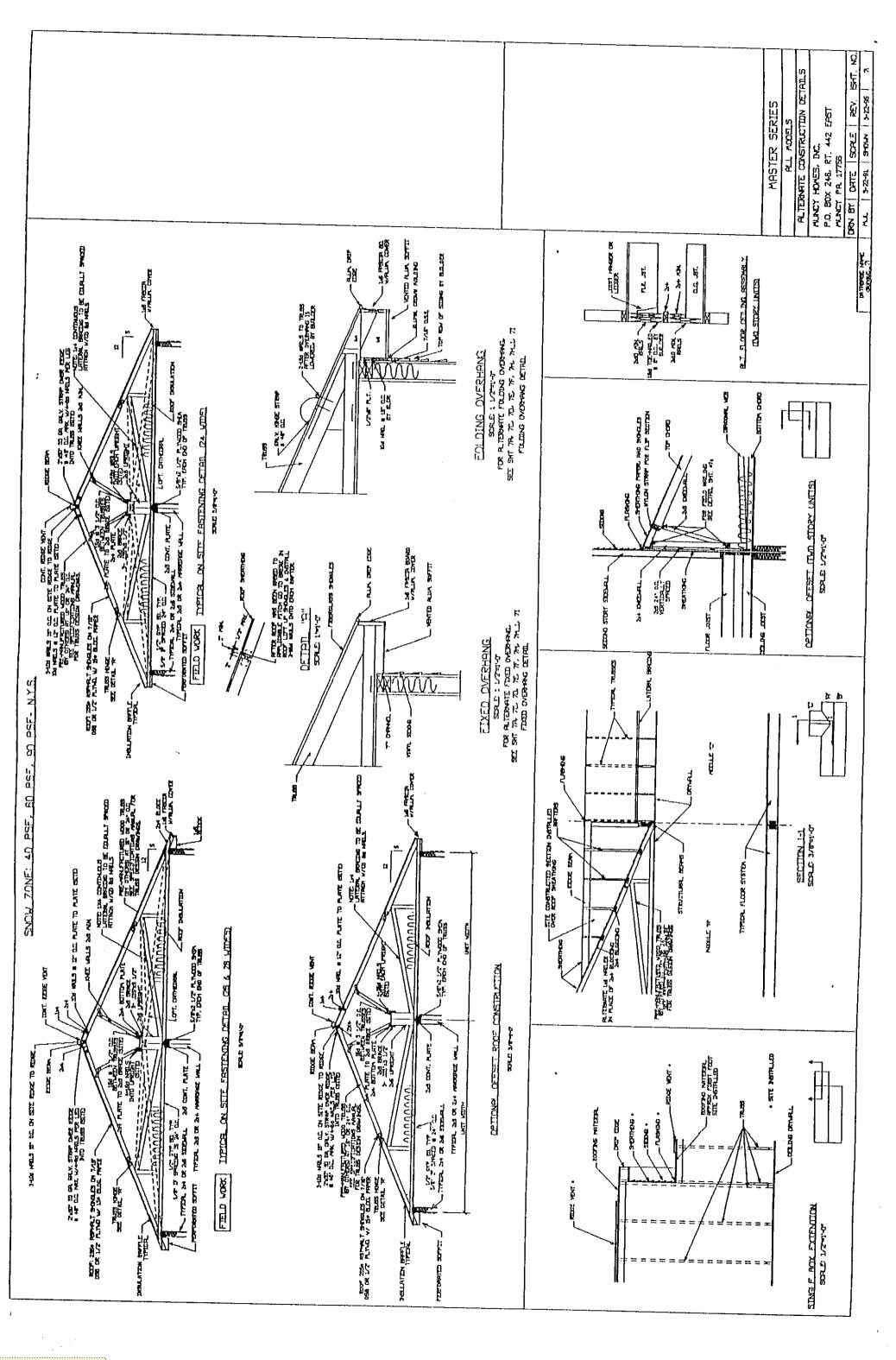




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## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \*

This matter comes before the Deputy Zoning Commissioner as companion Petitions for Variance for adjoining properties known as 330 and 332 Stillwater Road, located in the vicinity of Mace Avenue in Essex. The Petitions were filed by the owners of the property, Thomas C. Gable, Jr., and his wife, Roberta E. Gable. In Case No. 97-112-A, the Petitioners seek relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet, and a side yard setback of 6.5 feet in lieu of the required 10 feet for a proposed dwelling. In Case No. 97-113-A, the Petitioners seek similar relief for an existing dwelling. The subject properties and relief sought are more particularly described on the site plan submitted in each case, and identified as Petitioner's Exhibits 1.

Appearing at the public hearing on behalf of the Petitions were Mrs. Roberta Gable, property owner, and Mr. Robert Hager. There were no Protestants present.

Testimony and evidence offered revealed that the Petitioners own the subject adjoining properties, also known as Lots 68 and 69 of Back River Highlands, which was established many years ago with 50-foot wide lots. The property at 330 Stillwater Road consists of 0.52 acres, more or less, zoned D.R. 5.5 and is unimproved, but for an existing 9.9' x 12.2'

shed. The property at 332 Stillwater Road also consists of 0.52 acres, zoned D.R. 5.5, and is improved with a two-story dwelling which has been the Petitioners' residence for the past 11 years. Mrs. Gable testified that her mother recently passed away and the Petitioners are desirous of developing the unimproved lot at 330 Stillwater Road with a single family dwelling for Mrs. Gable's father. Testimony indicated that the proposed dwelling will enable Mrs. Gable's father to continue to live independently, while living close by to his daughter and son-in-law. Due to the location of the existing dwelling on Lot 69, a lot line adjustment is necessary in order to proceed with the proposed improvements. The site plan shows that the existing dwelling actually encroaches over the common property line shared between the two lots. As required, the Petitioners submitted drawingsof the proposed dwelling to the Office of Planning who approved same as being in character and keeping with other homes in the surrounding community. However, approval of these house plans was contingent upon the the entrance of the proposed dwelling being oriented to front Stillwater Road. Mrs. Gable stated that they have every intention of orienting the front entrance of the proposed dwelling to Stillwater Road. It should also be noted that all other area setback requirements will be met by the proposed improvements.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

Petition for Variance
to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

The undersigned, legal owner(s) of the property square in Baltimore County and Willott is described in the hereto and made a part hereof, hereby petition for a Variance from Section(s) | B 02. 3. C. | C 22P TO PERMIT A LOT WINTH OF 50' AND A SIDE YEAR SETOLEK OF 65' IN

of the Zoning Regulations of Baitimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

ON LOT 68. IN ORDER TO DO THIS, A LOT LINE ADJUSTMENT WILL

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to

be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

BE NECESSARY WHICH WILL CREATE A NEED FOR SIDE YARD

VARIANCES FOR THE PROPOSED HOUSE AND EXISTING HOUSE

Property is to be posted and advertised as prescribed by Zoning Regulations.

WE NEED TO CONSTRUCT A HOUSE FUR MRS-GABLE'S FATHER

This Petition shall be filed with the Office of Zoning Administration & Development Management.

for the property located at 330 STILLURITE Road. Let 68 which is presently zoned Dr. 5. 5

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structure which are the subject of these requests and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this  $\frac{2}{5}$  day of October, 1996 that the Petition for Variances filed in Case Nos. 97-112-A and 97-113-A seeking relief from Section 1B01.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the minimum required 55 feet. and a side yard setback of 6.5 feet in lieu of the required 10 feet for a proposed dwelling at 330 Stillwater Road and an existing dwelling at 332 Stillwater Road, in accordance with Petitioner's Exhibits 1, be and are hereby GRANTED, subject to the following restriction:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The front entrance to the proposed dwelling at 330 Stillwater Road shall be oriented to face Stillwater Road.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> Muthy Litream TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

FOR FILING

Office of Planning and Zoning

Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

Mr. & Mrs. Thomas C. Gable, Jr. 332 Stillwater Road Baltimore, Maryland 21221

RE: PETITIONS FOR VARIANCE N/S Stillwater Road, 950' and 1,000' E of the c/l of Riverside Road (330 & 332 Stillwater Road) 15th Election District - 5th Councilmanic District Thomas C. Gable, Jr., et ux - Petitioners Case Nos. 97-112-A & 97-113-A

Dear Mr. & Mrs. Gable:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

nc Thomas C. Gable Jr.

ZONING DESCRIPTION

330 STILLWATER ROAD

Beginning at a point on the North side of Stillwater Road which is 50 feet wide at the distance of 950 feet East of the centerline of Riverside Road which is 50 feet wide. Being Lot No. 68, Block C in the subdivision of Back River Highlands as recorded in Baltimore County Plat Book #4, Folio #64, containing 20,000 square feet. Also known as 330 Stillwater Road and located in the 15th Election District, 7 Councilmanic District.

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		Towner, Marylan		
District			Date of Post	- 9/27
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Petitioner:	ble:			بسد مسلخة بيارة فالمد
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Posted by Mon	h Dawel		e of return:	

The Zoning Commissioner of Baltimore County, by authorit of the Zoning Act and Regula-tions of Baltimore County wit hold a public hearing on the Case: #97-112-A width of 50 feet and a side yard setback of 6.5 feet in lieu of the required 55 feet and 10 Hearing: Tuesday, October 15, 1996 at 9:00 a.m. in Rm. 118 LAWRENCE E. SCHMIDT

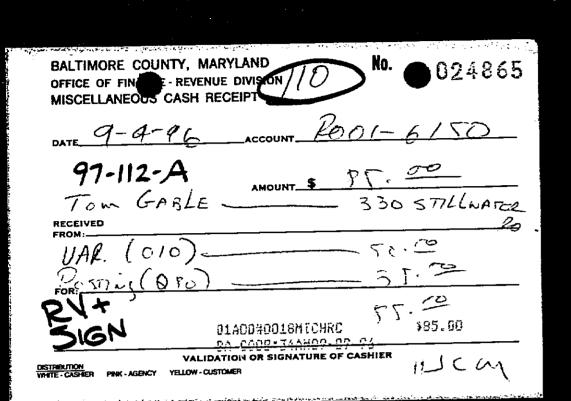
CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_ successive 

THE JEFFERSONIAN.

Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391. 9/315 Sept. 26 C86547

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the



Baltimore County Department of Permits and Development Management	Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204
time of filing.  2) Billing for legal advertising,	ING REQUIREMENTS & PROCEDURES  That notice be given to the particle of the particle of the property which paring. For those petitions which is accomplished by posting a sign of the in at least one newspaper of requirements for posting and petitioner is responsible for ments.  The procedure of the procedure of the petitioner is responsible for ments.
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Management

RWB:HJO:jrb

cc: File

ZONE28

SCHEDULE DATES, CERTIFICATE OF FILING POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 The application for your proposed Building Permit Application has been accepted A sign indicating the proposed Building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00 and posting \$35.00; total \$85.00. In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing. \*SUGGESTED POSTING DATE 9-2c-96 D (15 Days Before C) DATE POSTED \_\_\_\_\_ HEARING REQUESTED-YES \_\_\_\_NO \_\_\_-DATE \_\_\_\_ TENTATIVE DECISION DATE 10-9-968 (A + 30 Days) \*Usually within 15 days of filing CERTIFICATE OF POSTING

Signature

Number of Signs:

Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

September 24, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-112-A (Item 110) 330 Stillwater Road, Lot 66 N/S Stillwater Road, 950'+/- E of c/l Riverside Road 15th Election District - 5th Councilmanic Legal Owner(s): Thomas C. Gabler, Jr. and Roberta E. Gable

Variance to permit a lot width of 50 feet and a side yard setback of 6.5 feet in lieu of the required 55 feet and 10 feet.

HEARING: TUESDAY, OCTOBER 15, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

The Department of Environmental Protection & Resource Management has no

R. Bruce Seeley

Permits and Development Review

comments for the following Zoning Advisory Committee Items:

Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

October 8, 1996

Mr. and Mrs. Thomas Gable, Jr. 332 Stillwater Road Baltimore, MD 21221

> RE: Item No.: 110 Case No.: 37-112-A Petitioner: Thomas Gable, et ux

Dear Mr. and Mrs. Gable:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

> Sincerely, El Richards W. Carl Richards, Jr. Zoning Supervisor

WCR/re Attachment(s)

John alexander BALTIMORE COUNTY. MARYLAND INTEROFFICE CORRESPONDENCE Arnold Jablon, Director Date: October 1, 1996 Department of Permits & Development FROM: Robert W. Bowling, Chief Development Plans Review Division SUBJECT: Zoning Advisory Committee Meeting for September 30, 1996 Item Nos. 110, 111, 112, 117 & 118 The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

INTER-OFFICE CORRESPONDENCE Arnold Jablon, Director DATE: September 26, 1996 Permits and Development Management Pat Keller, Director Office of Planning SUBJECT: Petitions from Zoning Advisory Committee The Office of Planning has no comments on the following petition(s): Item Nos. 110, 111, 112, 118, 119, 120, 122, 124, and 127 If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

BALTIMORE COUNTY, MARYLAND

BRUCE2/DEPRM/TXTSBP

ITEM110/PZONE/TXTJWL



David L. Winstead Parker F. Williams Administrator

Ms. Rosiyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Smail at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

RE: Baltimore County

Item No. //C (TCM)

My telephone number is \_\_\_\_\_ Maryland Relay Service for Impaired Hearing or Speech Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street - Baltimore, Maryland 21202 700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410)887-4880

DATE: 10/02/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Zoning Agenda:

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114, 115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

Printed with Soybean Ink

INTER-OFFICE CORRESPONDENCE Director Office of Planning & Community Conservation Attn: Ervin McDaniel Permit Number County Courts Bldg, Rm 406 401 Bosley Av Towson, MD 21204 FROM: Arnold Jablon, Director, Department of Permits & Development Management Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommencations and comments from the Office of Planning & Community Conservation prior to this office's approval of MINIMUM APPLICANT SUPPLIED INFORMATION: THEMAS & RUBERTA CABLE 332 STILLWATER RD 657.3453 Lat Address 330 STILLWATER RD. Election District 15 Council District 7 Square Feet 22,500 Lot Location WES W/ side / corner of STILLWATER RD, 925 feet from MES W corner of PIVERSIDE RCAD Load Owner TURMAS & RUBERTA GABLE TOX Account Number 15-11351930 \_\_\_\_\_Telephone Number <u>687-3453</u> Address 332 STILLWATER PD BALTIMORE, MD. 24221 Residential Processing Fee Paid Codes 030 & 080 (\$35) 1. This Recommendation Form (3 copies) 2. Permit Application Proceny (3 copies) Toda Map (evallable in Rm 206 0.0.8.) (2 copies) (please label site stearty) 4. Building Elevation Drawings 5. Phatagraphs (presse local all photos searry) Adjoining Buildings Surrounding Neighborhood TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!! RECOMMENDATIONS/COMMENTS: Approval conditioned on required modifications of the permit to conform with the following recommendations:

Tor the Girector. Office of Planning & Community Conservation

CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation L------

Very truly yours, Charlotte E. Radcliffe Legal Secretary

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49

400 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 887-3180

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a Petition for Judicial Review was filed on

September 5, 1996, in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to

Please note that any documents filed in this matter, including, but not limited to, any other Petition for Judicial Review, must be filed under Civil Action No. 3-C-96-009060.

Enclosed is a copy of the Certificate of Notice, which has been filed in the Circuit Court.

September 11, 1996

RE: Civil Action No. 3-C-96-009060

NEIL S. KRAVITZ

· 10 65

c: Captain William Kalista Balto. Co. Police Headwuarters Pat Keller /Planning Lawrence E. Schmidt /PDM Arnold Jablon /PDM Virginia W. Barnhart, County Attorney

Peter Max Zimmerman

Towson, MD 21204

Dear Mr. Zimmerman:

Rule 7-202(d)(2)(B).

Enclosure

Room 47, Old Courthouse

400 Washington Avenue

People's Counsel for Baltimore County

Printed with Soybean Ink on Recycled Paper

RE: PETITION FOR VARIANCE	*	BI	EFORE T	HE		
330 Stillwater Road, Lot 68, N/S Still Road, 950'+/- E of c/l Riverside Road	*	Z	ONING C	OMMIS	SIONER	
15th Election District, 5th Councilman	nic *	0	F BALTI	MORE	COUNTY	
Thomas C. and Roberta E. Gable, Jr. Petitioners	*	C	ASE NO.	97-1	12-A	
+ + * * * * *	*	*	*	*	*	

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Peter Max Communan PETER MAX ZIMMERMAN People's Counsel for Baltimore County Carole S. Demilio CAROLE S. DEMILIO Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 151 day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas C. and Roberta E. Gable, Jr., 332 Stillwater Road, Baltimore, MD 21221,

PRO!	PERTY ADDR	_	STILLWATER R SHLANDS	CAD	zoning <u> </u> *** <b>7-    </b>	4	CHECKLIST for additional required information	
HWO	ER: THOMAS	C.GABLE JR. &	ROBERTA E.GAE	SLE .	<i> </i>		SAVANNAU ROAD	
1-		, - ··· <del>-</del>	564°E	100.0	),		SAVANINAH ROAL	
5	(bb)	(ia)	50' (L8)	50	(70).	(n)	STILLWATER F SITE &	
	0.26 Ac.*	11250 SF Q.Z.E.Ne <sup>±</sup>	O )XI2.2' Q FRAME SHED.	# 1511351930	11250:1E 0.26Ac4	11750 SF 0.26Act	MICHOLSON ROAD I'M	
	15 STORY	*1515(.40300 LAND OF O ALVIN '57 OF TH 27 1% STORY FR.	PAD PAD SI	COLV PLOCK RETAILING WALL 2 DPRY 17 ME VIOLE 17 ME VIO	22 KZEDRA EBIN	55'1½'STORY FR.	LOCATION INFORMATION  Election District: 15  Councilmanic District: 5  1"=200" scale map#: NE ZG	**************************************
787	#326 EX. IVVI C. FPONT	EX. DWIS. FRONT	S4' CONC. DR. Q4	,es	29.5. 42.5. 12.6.1 29.5. 42.5. 12.6.1	28. covincs Heart	Zoning: DR 5.5  Lot size: 0.52 22.500  acreage square feet  public private  SEWER: [	
950	O1 ₹ OT 10	EX. 6" WATER A	50'	50	1150' To	O GOF MICE AVE	WATER:   Chesapeake Bay Critical Area:   Prior Zoning Hearings: NONE	
(	) <u> ×</u> -ī	TO E PIVERSIDE	8" SEWER "	00.00′	EX. 4" GA	•		
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